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Executive Secretary

December 03, 2005 Notice Of Appeal Hearing -- *Draft* --

A three-member panel of the State Environmental Commission (SEC) has scheduled a hearing on an appeal filed with the SEC by Great Basin Mine Watch (GBMW). The appeal hearing will be held at 9:A.M on December 8th, 2005 in Carson City Nevada at the Richard H Bryan building, 901 South Stewart St. conference room xx.

The appeal by GBMW challenges the renewal of a Water Pollution Control Permit (NEV0087001) issued by the Nevada Division of Environmental Protection (NDEP) on July 26, 2005, to become effective on August 15, 2005. The permit authorized the permanent closure of the Big Springs Mine located in Elko County, Nevada. The Big Springs Mine is owned and operated by AngloGold Ashanti, a Nevada Corporation.

The appeal by GBWM alleges that NDEP's permit improperly permitted discharges into the North Fork of the Humboldt River (NFHR) and its tributaries. According to appeal, NDEP has failed to properly regulate all discharges at the site and has not issued a proper discharge permit for the mine and/or related point sources, as required by the federal Clean Water Act and Nevada's Water Pollution Control Law.

GBWM further alleges that NDEP has failed to comply with state water quality standards and prescribed beneficial uses and alleges that discharges are causing elevated levels of various constituents in the NFHR and its tributaries (e.g. selenium, manganese), and that these discharges are harming Lahontan Cutthroat Trout, a listed threatened species. According to the appeal, these discharges are stated to be in violation of the federal Clean Water Act and the Nevada Water Pollution Control Laws NRS 445A.300 et seq.

The hearing will be held in accordance with NRS 233B.121 to 150 inclusive and NRS 445A.605 to 610 and Nevada Administrative Code (NAC) 445B.875 to 445B.899. Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Executive Secretary in writing to Nevada State Environmental Commission, 901 South Stewart St. Ste. 401, Carson City, Nevada, 89701-

5249; by facsimile to (775) 687-5856; or by calling (775) 687-9308 no later than 5:00 p.m., December 01, 2005. This notice is issued pursuant to Nevada Revised Statutes (NRS) Chapter 233B and NRS 445B.350